

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BRUNO RIBEIRO DE ALMEIDA,

Petitioner,

v.

CLAIR DOLL, *et al.*,

Respondents.

No. 3:21-CV-00347

(Judge Brann)

(Chief Magistrate Judge Mehalchick)

ORDER

MAY 13, 2021

Bruno Ribeiro De Almeida, a detainee of the United States Department of Homeland Security, Immigration and Customs Enforcement, filed this 28 U.S.C. § 2241 petition seeking his release from federal custody.¹ In March 2021, De Almeida submitted a notice of voluntary dismissal and, based upon that notice, on March 16, 2021, Chief Magistrate Judge Karoline Mehalchick issued a Report and Recommendation recommending that the § 2241 petition be deemed withdrawn.² No timely objections have been filed to this Report and Recommendation.

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error.³ Regardless of whether timely

¹ Doc. 1.

² Docs. 5, 6.

³ Fed. R. Civ. P. 72(b), advisory committee notes; *see Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed).

objections are made, district courts may accept, reject, or modify—in whole or in part—the findings or recommendations made by the magistrate judge.⁴ After reviewing the record, the Court finds no error in Chief Magistrate Judge Mehalchick’s recommendation that the § 2241 petition be deemed withdrawn. Accordingly, **IT IS HEREBY ORDERED** that:

1. Chief Magistrate Judge Karoline Mehalchick’s Report and Recommendation (Doc. 6) is **ADOPTED**;
2. De Almeida’s 28 U.S.C. § 2241 petition (Doc. 1) is deemed withdrawn and is **DISMISSED** without prejudice; and
3. The Clerk of Court is directed to **CLOSE** this case.

BY THE COURT:

s/ Matthew W. Brann
Matthew W. Brann
United States District Judge

⁴ 28 U.S.C. § 636(b)(1); Local Rule 72.31.